

January 25, 2005

Federal Communications Commission
Washington, DC

REF: Docket Number 02-278

I've received a message from the Attorney General of Indiana concerning the petition presented to you by the Consumers Banking Association. The text of the message is:

The Consumer Bankers Association (CBA) has chosen to challenge Indiana's Telephone Privacy law in a proceeding before the Federal Communications Commission (FCC). The CBA is attempting to impose the federal "established business relationship" exemption on Indiana consumers. If successful, anybody that you currently have a business relationship with (e.g., your bank, credit card company, long distance carrier) will be able to call you as often as they want. Over an eighteen month period, that could translate to over 800,000,000 more unwanted phone calls to Indiana residents.

I have been an advocate of very strict privacy laws for over 20 years. During that time, I have watched marketers and accountants erode the basic business ethics that I was taught.

The government has rules concerning the use of private personal information to market to someone. This petition involves overriding a person's right to privacy and the use of private personal information to market to an individual. I believe that granting this petition would violate the individual's rights to privacy and the laws currently in place. The laws on the books in Indiana and other states are designed to prevent this kind of contact because in part of the potential for abuse and the potential disclosure of private personal information to parties that do not have a need to know it

Do not grant this petition. Do not even accept it for discussion. It's a dead issue with hundreds of thousands of consumers who are tired of companies doing whatever they want to do, framed in legalese. As discussed above, I believe it also infringes on Federal privacy laws because the companies are using private personal information as the basis for the contacts.

Thomas G. Bell